

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1230 be amended to read as follows:

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 36-4-3-4.1, AS AMENDED BY P.L.224-2001,
- 3 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2002]: Sec. 4.1. (a) This section applies to the following:
- 5 (1) A municipality having a population of:
- 6 (A) more than ten thousand (10,000) but less than fifteen
- 7 thousand (15,000); or
- 8 (B) more than four thousand (4,000) but less than four
- 9 thousand two hundred fifty (4,250);
- 10 located in a county having a population of more than seventy-five
- 11 thousand (75,000) but less than seventy-eight thousand (78,000).
- 12 (2) A municipality having a population of more than thirty-three
- 13 thousand (33,000) but less than thirty-three thousand eight
- 14 hundred fifty (33,850) located in a county having a population of
- 15 more than one hundred seven thousand (107,000) but less than
- 16 one hundred eight thousand (108,000);
- 17 (3) A municipality that is located in a county having a population
- 18 of more than four hundred thousand (400,000) but less than seven
- 19 hundred thousand (700,000);
- 20 (4) A town having a population of more than five thousand
- 21 (5,000) but less than six thousand (6,000) located in a county
- 22 having a population of more than one hundred eight thousand
- 23 (108,000) but less than one hundred eight thousand nine hundred
- 24 fifty (108,950);

~~(b)~~ Except as provided in subsection (c); **(a)** The legislative body of a municipality to which this section applies may, by ordinance, annex territory that:

(1) is contiguous to the municipality; **and**

~~(2) in the case of a municipality described in subsection (a)(1), has its entire area within the township within which the municipality is primarily located; and~~

~~(3) (2) is owned by a property owner who consents to the annexation.~~

~~(c)~~ Subsection ~~(b)(2)~~ does not apply to a municipality having a population of:

~~(1) more than six thousand (6,000) but less than six thousand five hundred (6,500); or~~

~~(2) more than eight thousand seven hundred (8,700) but less than eight thousand nine hundred (8,900) in a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000).~~

(b) This subsection applies to the following:

(1) A municipality having a population of:

(A) more than ten thousand (10,000); or

(B) more than five thousand (5,000) but less than six thousand three hundred (6,300); and

located in a county having a population of more than one hundred thousand (100,000) but less than one hundred five thousand (105,000).

(2) A municipality that adopts an annexation ordinance annexing territory as set forth in this section after June 30, 2002.

In addition to the requirements set forth in subsection (a), the territory that the municipality proposes to annex must have its entire area within the township within which the municipality is primarily located.

~~(d)~~ **(c)** Territory annexed under this section is exempt from all property tax liability under IC 6-1.1 for municipal purposes for all portions of the annexed territory that is classified for zoning purposes as agriculture and remains exempt from the property tax liability while

- 1 the property's zoning classification remains agriculture.
2 ~~(c)~~ **(d)** There may not be a change in the zoning classification of
3 territory annexed under this section without the consent of the owner
4 of the annexed territory.
(Reference is to HB 1230 as printed January 31, 2002.)

Representative Whetstone